

PECHMAN LAW GROUP PLLC

A T T O R N E Y S A T L A W

488 MADISON AVENUE
NEW YORK, NEW YORK 10022
(212) 583-9500
WWW.PECHMANLAW.COM

October 13, 2023

VIA ECF

Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square, Room 2101
New York, New York 10007

Re: *Almonte v. JAM Maintenance, LLC et al.*,
No. 22 Civ. 1820 (JPO)(BCM) (Mediation & Discovery)

Dear Judge Oetken:

We represent the Plaintiffs against the two sets of defendants in this action, (i) 1165 Gerard Realty LLC, 1170 Gerard Realty LLC, Beauty Realty LLC, Sagamore Realty LLC, Prospect 2000 Realty LLC, Robert Kaszovitz, and Akiva Kaszovitz (the “Building Defendants”) and (ii) JAM Maintenance LLC and Diego Ramirez (the, “JAM Defendants”). Pursuant to Sections 1(A) and 3(C) of the Court’s Individual Rules and Practices in Civil Cases, the Parties jointly request that the Court: (a) adjourn the initial pretrial conference scheduled for October 18, 2023, at 4:30 p.m. (ECF No. 92) to December 27, 2023; (b) order the Parties to attend a mediation in the Court’s mediation program by no later than December 21, 2023; and (c) stay discovery in this action until after the mediation, except that the Parties must exchange by no later than November 10, 2023, all documents in their custody, possession, and control concerning or otherwise reflecting the payment of Plaintiffs’ wages, the hours that Plaintiffs worked per workweek, and the work duties that each Plaintiff performed.

The Parties make these requests to attempt in good faith to settle this Action without incurring additional expenses. To this end, the Parties wish to attend a mediation in the Court’s mediation program by no later than December 21, 2023. The Parties propose this deadline because they must first exchange documents relevant to settlement discussions, as is explained below. Moreover, the JAM Defendants’ attorney will be on trial from November 7 through 15, 2023, and Plaintiffs’ lead counsel will be away and unavailable from November 17 through December 9, 2023.

Plaintiffs need all records in the Parties’ custody, possession, and control concerning or otherwise reflecting Plaintiffs’ hours worked, work performed, and wages paid per workweek to calculate damages and submit a settlement demand to Defendants. For this purpose, the Parties request that the Court order them to exchange these documents by no later than November 10, 2023. The exchange of the records by this date

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would give the Parties, especially Plaintiffs' counsel, enough time to calculate damages for settlement purposes and submit a settlement demand to Defendants' respective attorneys ahead of the mediation. This should also give Defendants sufficient time to provide a settlement counteroffer before attending a mediation.

The Parties will inform the Court if they reach a settlement before or at the mediation. The Parties' requests in this joint letter-motion do not affect the Building Defendants' Answer due date of November 10, 2023 (ECF No. 91).

The Parties thank the Court for its time and attention to this matter and are available to discuss their requests in this letter with the Court in more detail if necessary.

Respectfully submitted,

/s/ Gianfranco J. Cuadra

Gianfranco J. Cuadra

cc: Defense Counsel (via ECF)

The October 18, 2023 conference is adjourned. Discovery is stayed, except that the parties shall exchange the documents identified above. The parties shall file a joint status letter by December 27, 2023.

So ordered.

10/13/2023



J. PAUL OETKEN
United States District Judge